

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTEENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1835.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

SECT. 9. *Be it further enacted,* That any two of the persons herein named are authorized to call the first meeting by posting up advertisements, in two or more public places in Castine, ten days prior to said meeting.

Mode of calling first meeting.

CHAPTER 553.

AN ACT to annex the town of Litchfield to the County of Kennebec.

Approved March 10, 1835.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the town of Litchfield in the County of Lincoln, be and the same hereby is set off from said County of Lincoln, and annexed to, and made part of, the County of Kennebec—*Provided,* That all taxes upon said town or the inhabitants thereof, lawfully assessed, shall be paid, and the remedies for collecting the same, shall remain as if this Act had not been passed.

Town of Litchfield set off from Lincoln and annexed to Kennebec.

Proviso.

SECT. 2. *Be it further enacted,* That all persons holding commissions of Justices of the Peace in the town of Litchfield shall be authorized to act as Justices of the Peace in the County of Kennebec, in the same manner as if their commissions had been originally granted for that County.

Justices of the Peace in Litchfield allowed to act in Kennebec.

CHAPTER 554.

AN ACT to incorporate the Orono Company.

Approved March 10, 1835.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That William Jameson, Samuel Gardner, Sylvanus L. Mitchell, Zenas Keith, Jun., N. D. Hyde, Scott Keith, Charles Robinson, Increase Robinson, Enoch Robinson, Gad Robinson, Jacob Robinson, Dyer Robinson, Jun., Nathan Lazell, James T. Hobart, Ben-

Names of persons incorporated.

Corporate name. jamin King, Joseph Hunt, William B. Dorr, Z. B. Adams, R. Tinkham and John G. Jameson, their associates, successors and assigns be, and hereby are incorporated into a body politic by the name of the Orono Company, for the purpose of establishing and carrying on, at or near the Stillwater river in Orono, the manufacture of Iron and Lumber—and by the aforesaid name may prosecute and defend suits at law and equity; have a common Seal; make and establish by-laws, rules and regulations, not repugnant to the laws of the State, for the management of their concerns; choose all necessary officers; and have, exercise and enjoy all the rights, privileges and immunities, pertaining to companies legally incorporated—*Provided*, That all estate real and personal, held and owned by said Corporation, shall be held liable to assessment and taxation in the same manner as if the same were held and owned by an individual.

Powers, &c. **SECT. 2.** *Be it further enacted*, That said Corporation may, upon their own land in said Orono, erect all necessary dams, mills, works, and machinery for said purposes,—*Provided*, said company shall not raise the water any higher by the erection of a dam or dams at said Orono or upper Stillwater, so called, than it was raised by the original dam at said place,—and may take, hold, and manage real estate not exceeding in value Two Hundred Thousand Dollars.

Proviso. **SECT. 3.** *Be it further enacted*, That if any person or persons shall sustain any injury by reason of any of the powers granted in this Act, he or they shall be entitled to receive of said Corporation the just damages therefor, to be recovered by action in any Court competent to try the same.

Amount of real estate allowed to be holden by said Corporation. **SECT. 4.** *Be it further enacted*, That the capital stock of said Corporation shall consist of Two Hundred Thousand Dollars, divided into two hundred shares of One Thousand Dollars each.

Persons sustaining injury entitled to damages. **SECT. 5.** *Be it further enacted*, That when any person shall obtain judgment and execution against said Corpora-

Amount of Capital Stock—how divided.

Execution against corporation :

tion, and the same shall not be paid within seven days after notice in writing has been given to the clerk thereof of the amount of such execution, and said clerk shall not within said seven days shew to the creditor or officer holding said execution personal property of said corporation sufficient to satisfy the same, it shall be lawful for such creditor or officer to cause said execution to be levied upon any property of said Corporation,—or upon the private property of any stockholder thereof at his election—*Provided*, That no stockholder shall be held liable for any debt of said Corporation, to an amount exceeding the original cost of his stock—*Provided, also*, That the liability of such stockholder, shall continue the term of one year from and after the time he shall have duly transferred his stock, and no longer.

—how levied.

Proviso.

Proviso.

SECT. 6. *Be it further enacted*, That any stockholder, who shall have been obliged to pay any demand against said Corporation out of his individual property, shall have a bill in equity, originally to be tried in the Supreme Judicial Court, to recover from the other stockholders, who may be liable for the same, their proportional parts of such sums of money as he may have so paid, and such damages and costs as the Court may decree, and said bill in equity may be inserted in a writ of attachment or original summons.

Stockholders obliged to pay demands against the corporation, to have a bill in equity, &c.

SECT. 7. *Be it further enacted*, That it shall be the duty of the clerk of the said Corporation whenever thereto requested by any creditor in any execution against the same, or by the officer holding said execution, to furnish such creditor or officer, within seven days after such request, with the names of the stockholders thereof, together with the names of persons who have been stockholders within one year, and a schedule of the property belonging to said Corporation.

Clerk to furnish names of Stockholders in certain cases.

SECT. 8. *Be it further enacted*, That either of the persons named in this Act, be authorized to call the first meeting of this Corporation by giving notice thereof in writing to the members of said Corporation, or by causing public

Manner of calling first meeting.

notice thereof to be published in any newspaper printed in Bangor, at least twenty days prior to the time of holding said meeting.

CHAPTER 555.

AN ACT providing for the use of Broad Rimmed Wheels within the County of Penobscot.

Approved March 10, 1835.

No loads to be hauled on carts or waggons unless the felloes thereof are five inches wide.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the first day of April in the year of our Lord, one thousand eight hundred and thirty-six, no person residing in said County shall be allowed or permitted to haul any load, on any public road within the County of Penobscot, upon any ox-cart or ox-wagon, unless the felloes of the wheels thereof, are at least five inches wide, nor upon any horse-cart, or horse-wagon unless the felloes of the wheels thereof are at least four inches wide.

Penalty for violating the provisions of this act.

SECT. 2. *Be it further enacted,* That if any person shall violate the provisions of this Act, he shall forfeit and pay Three Dollars for each time he shall use a pair of wheels of less width than is required by the provisions of this Act, and for each pair of wheels, that he may so use. *Provided, nevertheless,*—That the penalty shall not be incurred by any person when the lading of his cart or wagon does not exceed fifteen hundred pounds in weight.

Proviso.

Penalties how recovered.

SECT. 3. *Be it further enacted,* That the forfeitures and penalties herein provided may be demanded, sued for and recovered, by any one of the Selectmen, Surveyors of Highways or Town Clerk of any town, in which any wheels may be used contrary to the provisions of this Act before any Justice of the Peace or other Court, competent to try the same,—or when the offence shall be within the City of Bangor, by the Mayor or any one of the City Council, before the Municipal Court of said City—and all